

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE**

William J. Carey

v.

Civil No. 05-cv-010-SM

Kristi Eglody

**O R D E R**

Defendant served a First Request to Admit Facts or Genuineness of Documents pursuant to Fed. R. Civ. P. 36 on August 22, 2005. Well within the thirty days provided by the rule plaintiff objected. Rule 36 provides that "(t)he party who has requested the admissions may move to determine the sufficiency of the . . . objections." Defendant has now moved for such a determination. Document no. 55.

Plaintiff has objected to all requests for admission on the basis that these facts were determined in his favor in a not guilty criminal determination. He claims that collateral estoppel or res judicata apply. Neither applies. The prior action was a criminal action to which defendant was not a party.

The motion (document no. 55) is granted. The objection is without merit and appears to be part of plaintiff's ongoing harassment. Plaintiff has made no effort to respond to each

request in a meaningful candid way and simply filed a meritless objection. The requests are deemed admitted.

**SO ORDERED.**

  
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James R. Muirhead  
United States Magistrate Judge

Date: February 2, 2006

cc: William J. Carey, *pro se*  
Corey M. Belobrow, Esq.